

**REMARKS**

Claims 2, 4, 7 and 10 are pending in the present application, and are rejected. Claims 2, 4, 7 and 10 are herein amended. No new matter has been presented.

**Claim Rejections - 35 U.S.C. §103(a)**

Claims 2, 4, and 7 are rejected under 35 U.S.C. §103(a) as being obvious over Clarkson et al. (US Patent Application 2001/0036964 A1) in view of McCue et al. (US Patent 5,403,587).

Claim 10 is rejected under 35 U.S.C. §103(a) as being obvious over Clarkson et al. (US Patent Application 2001/0036964 A1) and McCue et al. (US Patent 5,403,587) as applied to claims 1-9 in view of Jensen et al. (US Patent 2,550,255).

The Examiner asserts that the Declaration under 37 C.F.R. §1.132 by Okada filed February 23, 2007 is insufficient to overcome the rejection of claims 2, 4, 7 and 10 based on Clarkson, McCue et al. and Jensen et al. as set forth in the last Office action.

The Examiner admits that the Declaration shows synergistic results between 1,2-octanediol and eugenol, citronellal, terpinyl acetate, citronellol, and  $\beta$ -pinene. However, the Examiner asserts that the Declaration is not commensurate with the scope of the claims. The Examiner asserts that the raw data as depicted in the Declaration and Figures are all from the experimental guidelines of Embodiment 1 as disclosed in the specification. The Examiner notes that the claims have no limitations with respect to amounts, ranges, or ratios, therefore the claims read on every ratio of the two active agents, while there is support for only one data point.

The newly clarified limitation in presently amended claim 2, “wherein said 1,2-octanediol and said materials are contained in weight ratio between 1:1 and 10:1” and the limitations added to presently amended claims 4, 7 and 10, “wherein said 1,2-octanediol and said materials are comprised in weight ratio between 1:1 and 10:1” are supported by the description in the specification. The description “the content of both of the first component 1,2-alkanediol with 5-10 carbons and the second component fragrance compositions are not limited, but it would be preferred that they are compounded to satisfy the weight ratio to be... more preferably between 1:1 and 10:1” are detailed in [0042] of the present specification, and “the second component of the antiseptic disinfectant of the present invention is one or more materials selected from a group of thymol, eugenol, citronellal, terpinyl acetate, citronellol and  $\beta$ -pinene” in [0033] of the present specification.

In the amended claims 2, 4, 7 and 10, the blending ratio of 1,2-octanediol and fragrance (one or more materials selected from the group of eugenol, citronellal, terpinyl acetate, citronellol and ( $\beta$ -pinene) is limited to between 1:1 and 10:1 in weight ratio. Because the amended claims read on particular range of ratio of the two active agents (i.e., between 1:1 and 10:1), the scope of the amended claims appropriately corresponds to the test results in the specification and the previous declaration.

In addition, Applicants note the formulation example 1 in paragraph [0075] in the specification, wherein as one of examples of the present invention, the formulation of humidity retention cream is described. The humidity retention cream contains 1,2-alkanediol and eugenol

whose ratio is 2.5:1. This shows the compound whose ratio of 1,2-octanediol and fragrance is other than 1:1 is also preferably used in the present invention.

In conclusion, because synergistic effects obtained from combinations of particular perfumes and 1,2-alkanediol described in the amended claims 2, 4, 7 and 10 are unexpected by the cited references, and therefore the invention described in the amended claims can not be readily assumed by the person in the art.


In view of the aforementioned amendments and accompanying remarks, Applicants submit that that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

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